

CLOSED,STAYED,TYPE-I

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:12-cv-01067-EGS

PUBLIC EMPLOYEES FOR ENVIRONMENTAL
 RESPONSIBILITY v. DEPARTMENT OF THE INTERIOR,
 OFFICE OF THE SECRETARY et al
 Assigned to: Judge Emmet G. Sullivan
 Demand: \$0
 Cause: 05:552 Freedom of Information Act

Date Filed: 06/28/2012
 Date Terminated: 05/07/2013
 Jury Demand: None
 Nature of Suit: 895 Freedom of
 Information Act
 Jurisdiction: U.S. Government Defendant

Plaintiff

**PUBLIC EMPLOYEES FOR
 ENVIRONMENTAL
 RESPONSIBILITY**

represented by **Kathryn Douglass**
 PUBLIC EMPLOYEES FOR
 ENVIRONMENTAL RESPONSIBILITY
 2000 P Street, NW
 Suite 240
 Washington, DC 20036
 (202) 265-7337
 Fax: (202) 265-4192
 Email: kdouglass@peer.org
ATTORNEY TO BE NOTICED

V.

Defendant

DEPARTMENT OF THE INTERIOR
Office of the Secretary

represented by **Carl Ezekiel Ross**
 U.S. ATTORNEY'S OFFICE
 555 Fourth Street, NW
 Washington, DC 20530
 (202) 305-4851
 Fax: (202) 514-8780
 Email: carl.ross@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

NATIONAL PARK SERVICE

represented by **Carl Ezekiel Ross**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/28/2012	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 350 receipt number 0090-2985754) filed by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons)(Douglass, Kathryn) (Entered: 06/28/2012)
06/28/2012		Case Assigned to Judge Emmet G. Sullivan. (kb) (Entered: 06/29/2012)
07/02/2012	<u>2</u>	ELECTRONIC SUMMONS (4) Issued as to DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Consent Form, # <u>5</u> Notice of Consent)(kb) (Entered: 07/02/2012)
07/05/2012	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/2/2012. Answer due for ALL FEDERAL DEFENDANTS by 8/1/2012.

		(Douglass, Kathryn) (Entered: 07/05/2012)
07/24/2012	<u>4</u>	MOTION to Amend/Correct <u>1</u> Complaint, by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Errata Amended complaint)(Douglass, Kathryn) (Entered: 07/24/2012)
07/25/2012		MINUTE ORDER granting <u>4</u> plaintiff's motion for leave to file amended complaint. The Clerk of Court is directed to docket the Amended Complaint, attached as Exhibit 2 to plaintiff's motion, Docket No. 4-2. Signed by Judge Emmet G. Sullivan on July 25, 2012. (lcegs6) (Entered: 07/25/2012)
07/25/2012	<u>5</u>	AMENDED COMPLAINT against DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE filed by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY.(jf,) (Entered: 07/26/2012)
07/30/2012	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 07/09/12. (Douglass, Kathryn) Modified on 7/31/2012 (jf,). (Entered: 07/30/2012)
07/30/2012	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF THE INTERIOR served on 7/9/2012 (Douglass, Kathryn) (Entered: 07/30/2012)
08/01/2012	<u>8</u>	Consent MOTION for Extension of Time to File Answer re <u>5</u> Amended Complaint by DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE (Attachments: # <u>1</u> Text of Proposed Order)(Ross, Carl) (Entered: 08/01/2012)
08/02/2012		MINUTE ORDER granting <u>8</u> defendant's consent motion for extension of time. Defendant shall answer or otherwise respond to <u>5</u> plaintiff's amended complaint by no later than September 14, 2012. Signed by Judge Emmet G. Sullivan on August 2, 2012. (lcegs6) (Entered: 08/02/2012)
08/03/2012		Set/Reset Deadlines: Answer due by 9/14/2012, (clv,) (Entered: 08/03/2012)
09/14/2012	<u>9</u>	Consent MOTION for Extension of Time to File Answer re <u>5</u> Amended Complaint by DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE (Attachments: # <u>1</u> Text of Proposed Order)(Ross, Carl) (Entered: 09/14/2012)
09/18/2012		MINUTE ORDER granting <u>9</u> Defendant's Consent Motion for Extension of Time to respond to the Complaint. Defendant shall file its response to the Complaint by no later than October 15, 2012. Signed by Judge Emmet G. Sullivan on September 18, 2012. (lcegs4) (Entered: 09/18/2012)
09/18/2012		Set/Reset Deadlines: Answer due by 10/15/2012, (clv,) (Entered: 09/18/2012)
11/05/2012	<u>10</u>	Consent MOTION for Extension of Time to File Answer re <u>5</u> Amended Complaint by DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE (Attachments: # <u>1</u> Text of Proposed Order)(Ross, Carl) (Entered: 11/05/2012)
11/07/2012		MINUTE ORDER granting <u>10</u> Defendants' Consent Motion for Extension of Time to respond to the Complaint. Defendants shall file their response to the Complaint by no later than November 9, 2012. Signed by Judge Emmet G. Sullivan on November 7, 2012. (lcegs4) (Entered: 11/07/2012)
11/07/2012		Set/Reset Deadlines: Answer due by 11/9/2012, (clv,) (Entered: 11/07/2012)
11/09/2012	<u>11</u>	ANSWER to <u>5</u> Amended Complaint by DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE. Related document: <u>5</u> Amended Complaint filed by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY.(Ross, Carl) (Entered: 11/09/2012)
11/12/2012		MINUTE ORDER directing the parties to file a joint status report, including a recommendation for further proceedings and a proposed briefing schedule, if applicable, by no later than December 10, 2012. In the event that counsel are unable to agree on a joint recommendation, each party shall file an individual recommendation by that time. Signed by Judge Emmet G. Sullivan on November 12, 2012. (lcegs6) (Entered: 11/12/2012)

11/13/2012		Set/Reset Deadlines: Status Report due by 12/10/2012 (clv,) (Entered: 11/13/2012)
12/18/2012	<u>12</u>	STATUS REPORT <i>Joint Status Report</i> by DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE. (Ross, Carl) (Entered: 12/18/2012)
12/18/2012		MINUTE ORDER granting <u>12</u> the parties' joint request to stay this matter in order to continue their efforts to resolve issues associated with defendants' release of documents. This matter is hereby STAYED until January 22, 2013. Signed by Judge Emmet G. Sullivan on December 18, 2012. (lcegs4) (Entered: 12/18/2012)
12/19/2012		Case Stayed until 1/22/13 (clv,) (Entered: 12/19/2012)
01/22/2013	<u>13</u>	STATUS REPORT <i>Joint Status Report</i> by DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE. (Ross, Carl) (Entered: 01/22/2013)
01/23/2013		MINUTE ORDER. Pursuant to the <u>13</u> joint status report filed on January 22, 2013, the parties are directed to comply with the following briefing schedule: defendant's motion for summary judgment shall be filed no later than March 1, 2013. Plaintiff's opposition shall be filed no later than April 1, 2013. If plaintiff chooses to file a cross-motion, it shall be combined with the opposition and filed on the same date. Defendant's reply and, if applicable, combined opposition shall be filed no later than April 30, 2013. Plaintiff's reply, if applicable, shall be filed no later than May 15, 2013. Signed by Judge Emmet G. Sullivan on January 23, 2013. (lcegs1) (Entered: 01/23/2013)
01/23/2013		Set/Reset Deadlines:. Defendant's motion for summary judgment due by 3/1/2013. Plaintiff's cross motion and opposition due by 4/1/2013. Defendant's Reply and combined opposition due by 4/30/2013. Plaintiff's reply due by 5/15/2013 (tcb) (Entered: 01/23/2013)
02/28/2013	<u>14</u>	Consent MOTION for Extension of Time to File by DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE (Attachments: # <u>1</u> Text of Proposed Order)(Ross, Carl) (Entered: 02/28/2013)
03/04/2013		MINUTE ORDER granting <u>14</u> consent motion for extension of time to file summary judgment motion. The parties are directed to comply with the following briefing schedule: defendant's motion for summary judgment shall be filed by no later than March 8, 2013. Plaintiff's opposition shall be filed by no later than April 8, 2013. If plaintiff chooses to file a cross-motion, it shall be combined with the opposition and filed on the same date. Defendant's reply, and if applicable, combined opposition shall be filed by no later than May 7, 2013. Plaintiff's reply, if applicable, shall be filed by no later than May 29, 2013. Signed by Judge Emmet G. Sullivan on March 4, 2013. (lcegs1) (Entered: 03/04/2013)
03/04/2013		MINUTE ORDER. The Court hereby amends its previous minute order granting <u>14</u> consent motion for extension of time with regards to the deadline for filing of plaintiff's reply, if applicable. Plaintiff's reply shall be filed by no later than May 22, 2013. The Court regrets any confusion to the parties. Signed by Judge Emmet G. Sullivan on March 4, 2013. (lcegs1) (Entered: 03/04/2013)
03/04/2013		Set/Reset Deadlines: Defendant's Summary Judgment motion due by 3/8/2013. Plaintiff's Response to Motion for Summary Judgment due by 4/8/2013. Plaintiff's Cross Motion due by 4/8/2013. Defendant's Reply to Motion for Summary Judgment due by 5/7/2013. Plaintiff's Reply due by 5/22/2013. (mac) (Entered: 03/04/2013)
03/05/2013		Set/Reset Deadlines: Plaintiff's reply due by 5/22/2013. (clv,) (Entered: 03/05/2013)
03/08/2013	<u>15</u>	Consent MOTION for Extension of Time to File by DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE (Attachments: # <u>1</u> Text of Proposed Order)(Ross, Carl) (Entered: 03/08/2013)
03/11/2013		MINUTE ORDER granting <u>15</u> unopposed motion for extension of time. Defendant's motion for summary judgment shall be filed no later than March 15, 2013. Plaintiff's opposition shall be filed no later than April 15, 2013. If plaintiff chooses to file a cross-motion, it shall be combined with the opposition and filed on the same date. Defendant's reply and, if applicable, combined opposition shall

		be filed no later than May 14, 2013. Plaintiff's reply, if applicable, shall be filed no later than May 29, 2013. Signed by Judge Emmet G. Sullivan on March 11, 2013. (lcegs4) (Entered: 03/11/2013)
03/11/2013		Set/Reset Deadlines: Defendant's Summary Judgment motion due by 3/15/2013. Plaintiff's Response to Motion for Summary Judgment due by 4/15/2013. Plaintiff's Cross Motion due by 4/15/2013. Defendant's Reply to Motion for Summary Judgment due by 5/14/2013. Plaintiff's Reply due by 5/29/2013. (mac) (Entered: 03/11/2013)
03/15/2013	<u>16</u>	STATUS REPORT <i>Joint Status Report</i> by DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE. (Ross, Carl) (Entered: 03/15/2013)
03/16/2013		MINUTE ORDER. In light of <u>16</u> the parties' joint status report, in which they represent all of the substantive issues underlying the FOIA request have been resolved, and request additional time to attempt to resolve the sole remaining issue in this case, fees and costs, it is hereby ORDERED that the summary judgment briefing schedule is vacated. If this case settles by April 15, 2013, the parties shall advise the Court by filing a stipulation. If this case does not settle by April 15, 2013, the parties shall file a joint status report, including recommendations for further proceedings, by that same date. SO ORDERED. Signed by Judge Emmet G. Sullivan on March 16, 2013. (lcegs4) (Entered: 03/16/2013)
03/18/2013		Set/Reset Deadlines: Status Report due by 4/15/2013 (clv,) (Entered: 03/18/2013)
04/15/2013	<u>17</u>	STATUS REPORT <i>Joint Status Report</i> by DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE. (Ross, Carl) (Entered: 04/15/2013)
04/16/2013		MINUTE ORDER. In light of <u>17</u> the parties' joint status report, in which they represent that they have reached an agreement in principle to settle this case and request time to finalize a settlement agreement, it is hereby ORDERED that the parties shall file a stipulation of settlement and dismissal by no later than May 1, 2013. If this case does not settle by May 1, 2013, the parties shall file a joint status report, including recommendations for further proceedings, by that same date. SO ORDERED. Signed by Judge Emmet G. Sullivan on April 16, 2013. (lcegs4) (Entered: 04/16/2013)
04/17/2013		Set/Reset Deadlines: stipulation of settlement and dismissal or Status Report due by 5/1/2013 (clv,) (Entered: 04/17/2013)
05/02/2013	<u>18</u>	STIPULATION of Dismissal <i>Stipulation of Settlement and Dismissal</i> by DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE. (Ross, Carl) (Entered: 05/02/2013)